MANUAL OF PATENT EXAMINING PROCEDURE

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TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING REJECTION OVER A PRIOR PATENT	Docket Number (TOBINICK 3.0	Optional) =011 (_CIP
In re Application of: EDWARD L. TOBINICK, M.D. Application No. 09/654,996 Filed: September 5, 2000		FRECEIVE RECEIVE
For TNF MODULATORS FOR TREATING NEUROLOGICAL DISORDERS WITH VIRAL INFECTION M.D. 100 percent interest in the instance of the owner, EDWARD.L., TOBINICK, of the instance of th	stant application h	
disclaims, except as provided below, the terminal part of the statutory term of any pat application, which would extend beyond the expiration date of the full statutory term to 156 and 173, as presently shortened by any terminal disclaimer, of prior Patent No owner hereby agrees that any patent so granted on the Instant application shall be enfor such period that it and the prior patent are commonly owned. This agreement runs we the instant application and is binding upon the grantee, its successors or assigns.	defined in 35 U.S. 6. 1.77.077 ceable only for and	C. 154 The during
In making the above disclaimer, the owner does not disclaim the terminal part the instant application that would extend to the expiration date of the full statutory term 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaim expires for failure to pay a maintenance fee, is held unenforceable, is found invalid jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C cancelled by a reexamination certificate, is reissued, or is in any manner terminated its full statutory term as presently shortened by any terminal disclaimer.	m as defined in 35 ter, in the event that if by a court of comp FR 1.321, has all of	J.S.C. it later: petent claims
Check either box 1 or 2 below, if appropriate.		
1. For submissions on behalf of an organization (e.g., corporation, partnership agency, etc.), the undersigned is empowered to act on behalf of the org	- -	nment
I hereby declare that all statements made herein of my own knowledge are true made on information and belief are believed to be true; and further that these statements knowledge that willful false statements and the like so made are punishable by fine under Section 1001 of Title 18 of the United States Code and that such willful false state validity of the application or any patent issued thereon.	nents were made w or imprisonment, o	ith the r both,
2. The undersigned is an attorney of record.	3/1	5/02
Signature		ate
00000008 09654996 <u>EZRA SUTTON</u>	And name	
Typed or prin	ted name	
*Certification under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the Form PTO/SB/96 may be used for making this certification. See MPEP § 324.	e assignee (owner).	

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Weshington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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PTO/SB/26 (10-96)
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TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING REJECTION OVER A PRIOR PATENT	Docket Number (Optional) TOBINICK 3.0-011(
In re Application of: EDWARD L. TOBINICK, M.D. Application No. 09/654,996 Filed: September 5, 2000	
For TNF MODULATORS FOR TREATING NEUROLOGICAL DISORDERS	
WITH VIRAL INFECTION M, D. 100 The owner, EDWARD. L.,TOBINICK, orpercent interest in the installation, which would extend beyond the expiration date of the full statutory term to 156 and 173, as presently shortened by any terminal disclaimer, of prior Patent No owner hereby agrees that any patent so granted on the instant application shall be enfor such period that it and the prior patent are commonly owned. This agreement runs we the instant application and is binding upon the grantee, its successors or assigns.	ent granted on the instant defined in 35 U.S.C. 154
In making the above disclaimer, the owner does not disclaim the terminal part the instant application that would extend to the expiration date of the full statutory term 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimed expires for failure to pay a maintenance fee, is held unenforceable, is found invalid jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 Concelled by a reexamination certificate, is reissued, or is in any manner terminated its full statutory term as presently shortened by any terminal disclaimer.	m as defined in 35 U.S.C. er, in the event that it later: I by a court of competent FR 1.321, has all claims
Check either box 1 or 2 below, if appropriate.	
1. For submissions on behalf of an organization (e.g., corporation, partnership agency, etc.), the undersigned is empowered to act on behalf of the org	
I hereby declare that all statements made herein of my own knowledge are true made on information and belief are believed to be true; and further that these statements and the like so made are punishable by fine conder Section 1001 of Title 18 of the United States Code and that such willful false state the validity of the application or any patent issued thereon.	ents were made with the or imprisonment, or both,
2. The undersigned is an attorney of record.	<u>3/15/02</u>
Signature E Z R A S U T T O N	Date
Typed or pring Terminal disclaimer fee under 37 CFR 1.20(d) included.	ted name
*Certification under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the Form PTO/SB/96 may be used for making this certification. See MPEP § 324.	assignee (owner).

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TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL PATENTING REJECTION OVER A PENDING SECOND		Docket Number (Optional) TOBINICK 3.0-011
In so Application of the STORING	CV M D	(CIP)
In re Application of: EDWARD L. TOBIN I Application No. 09/654,996	CK, M.D.	
Filed: September 5, 200)n <u>-</u>	
For THE MODULATORS FOR TREATING NEUROLO		SSOCIATED
WITH VIRAL INFECTION		
The owner. EDWARD L. TOBINICK, M. Dor 100	percent interest in the i	nstant application hereby
disclaims, except as provided below, the terminal part of the		•
application, which would extend beyond the expiration date		
156 and 173 as shortened by any terminal disclaimer filed packaged Application Number 09/826,976 filed on A	oril 5. 2001 - Th	atent granted on pending ecomer berebyagrees that
any patent so granted on the instant application shall be enfo		
any patent granted on the second application are commonly o	-	_ ,
on the instant application and is binding upon the grantee,	its successors or assign	S.
In making the above disclaimer, the owner does not discinstant application that would extend to the expiration date of to 156 and 173 of any patent granted on the second application to the patent grant, in the event that any such granted prior to the patent grant, in the event that any such granted prior to the disclaimed under 37 CFR 1.321, has all claims call or is in any manner terminated prior to the expiration of its disclaimer filed prior to its grant. Check either box 1 or 2 below, if appropriate. 1. For submissions on behalf of an organization (e.g., conetc.), the undersigned is empowered to act on behalf	fthe full statutory term as tion, as shortened by an atent: expires for failure to ent jurisdiction, is statutor ncelled by a reexaminati full statutory term as si	s defined in 35 U.S.C. 154 y terminal disclaimer filed to pay a maintenance fee, rily disclaimed in whole or on certificate, is reissued, hortened by any terminal
I hereby declare that all statements made herein of my o	wn knowledge are true an	nd that all statements made
on information and belief are believed to be true; and further that		
willful false statements and the like so made are punishable by	•	
Title 18 of the United States Code and that such wiliful false sta or any patent issued thereon.	tements may jeopardize t	ne validity of the application
or any patent issued thereoff.		
2. X The undersigned is an attorney of record.	\bigcirc	•
	J. SK	2/15/02
0000006 09654996	na yum	3/15/02
55.00 OP	\ Signature	Date
E ZR	A SUTTON	
	Typed or prin	nted name
Terminal disclaimer fee under 37 CFR 1.20(d) is included.	• • • • • • • • • • • • • • • • • • • •	
*Certification under 37 CFR 3.73(b) is required if terminal of Form PTO/SB/96 may be used for making this certification.		assignee (owner).

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